



DEPARTMENT OF THE NAVY

BOARD FOR CORRECTION OF NAVAL RECORDS

2 NAVY ANNEX

WASHINGTON DC 20370-5100

HD:hd
Docket No: 03855-99
12 November 1999

From: Chairman, Board for Correction of Naval Records
To: Secretary of the Navy

Subj: LT [REDACTED] NC, USNR [REDACTED]
REVIEW OF NAVAL RECORD

Ref: (a) Title 10 U.S.C. 1552

Encl: (1) DD Form 149 dtd 7 Jun 99 w/attachments
(2) CNO (N131M5) memo dtd 26 Jul 99
(3) Subject's naval record

1. Pursuant to the provisions of reference (a), Subject, hereinafter referred to as Petitioner, filed enclosure (1) with this Board requesting, in effect, that the applicable naval record be corrected by changing the date of rank shown on his commission as an ensign, Nurse Corps, U. S. Naval Reserve from 8 August 1995 to 8 June 1995, the date he obtained his Bachelor of Science degree; changing his lieutenant junior grade date of rank and effective date from 8 August 1997 to 8 June 1997; changing his lieutenant date of rank and effective date from 1 September 1999 to 1 July 1999; and adjusting his lineal precedence accordingly.

2. The Board, consisting of Messrs. McCulloch, Pfeiffer and Zs Salman, reviewed Petitioner's allegations of error and injustice on 4 November 1999, and pursuant to its regulations, determined that the corrective action indicated below should be taken on the available evidence of record. Documentary material considered by the Board consisted of the enclosures, naval records, and applicable statutes, regulations and policies.

3. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice, finds as follows:

a. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulations within the Department of the Navy.

b. Petitioner contends that in his three years and 10 months on active duty, he has met many fellow Nurse Corps officers who also participated in the Nurse Corps Candidate Program, and that approximately 20 new Nurse Corps officers along with himself went on active duty in August 1995. He says all the nurses he met have as their date of rank the date they graduated with their Bachelor of Science degree; that it is usual and customary for the date of rank of Nurse Corps officers who enter the Navy via the Nurse Candidate Program to be the day they obtained their respective professional degrees; and that he obtained his

Bachelor of Science degree on 8 June 1995, yet he was assigned an ensign date of rank of 8 August 1995.

c. In correspondence attached as enclosure (2), the Chief of Naval Operations (N131M5) office with cognizance over the subject matter of this case has commented to the effect that it is common practice for commissioning documents of Nurse Candidate Program students to be prepared ahead of their graduation, with their date of rank coinciding with their graduation date; and that they are then usually commissioned within several days of their graduation. Accordingly, that office recommended that Petitioner's request be approved and that his ensign date of rank be changed to reflect his graduation date, as is common practice.

CONCLUSION:

Upon review and consideration of all the evidence of record, and especially in light of the contents of enclosure (2), the Board finds the existence of an injustice warranting the following corrective action.

RECOMMENDATION:

a. That Petitioner's naval record be corrected, where appropriate, by changing the date of rank shown on his commission as an ensign, Nurse Corps, U. S. Naval Reserve from 8 August 1995 to 8 June 1995.

b. That his record be corrected further by changing his date of rank and effective date in the grade of lieutenant junior grade from 8 August 1997 to 8 June 1997.


c. That his record be corrected further by changing his date of rank and effective date in the grade of lieutenant from 1 September 1999 to 1 July 1999; and that his lineal precedence be adjusted accordingly.

d. That any material or entries inconsistent with the Board's recommendation be corrected, removed or completely expunged from Petitioner's record and that no such entries or material be added to the record in the future.


e. That a copy of this Report of Proceedings be filed at an appropriate location in Petitioner's naval record, and that another copy of this report be returned to this Board, together with any material directed to be removed from Petitioner's record, for retention in a confidential file maintained for such purpose.

4. Pursuant to Section 6(c) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulations, Section 723.6(c)) it is certified that a quorum was present at the Board's review and deliberations, and that the foregoing is a true and complete record of the Board's proceedings in the above entitled matter.

ROBERT D. ZSALMAN
Recorder


JONATHAN S. RUSKIN
Acting Recorder

5. Pursuant to the delegation of authority set out in Section 6(e) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulations, Section 723.6(e)) and having assured compliance with its provisions, it is hereby announced that the foregoing corrective action, taken under the authority of reference (a), has been approved by the Board on behalf of the Secretary of the Navy.


W. DEAN PFEIFFER
Executive Director

3855-99



Memorandum from the
NC & TNWO Officer Community Manager
(N-131M5)

26 July, 1999

To: Director, Board for Correction of Naval Records

Subj: DATE OF RANK ICO LTJG [REDACTED]
[REDACTED]

Ref: (a) [REDACTED] DD Form 149 dated 990614

1. [REDACTED] requests that his DOR be backdated to coincide with his graduation date from nursing school rather than his commissioning date [reference (a)].
 2. It is common practice that Nurse Candidate Program students' commissioning documents be prepared prospective of their graduation with their DOR coinciding with their graduation date. They are then usually commissioned within several days of their graduation.
 3. LTJG [REDACTED] commissioning documents were not prepared in time for his graduation and therefore he was not commissioned until he was to report to Officer Indoctrination School. His DOR was thus entered as his commissioning date vice his graduation date.
 4. Recommend his request be approved and his DOR changed to reflect his graduation date as is common practice.
- [REDACTED]